

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, April 19, 2023, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, April 14, 2023, at 4:28 P.M.

CALL TO ORDER

Chair Patrick called the meeting to order at 5:09 P.M.

ROLL CALL:

Hall-Harper	Absent	Bengel	Present
Cue	Present	Decter Wright	Present
Patrick	Present	Lakin	Present
Bellis	Present	Fowler	Present
Miller	Present		
	Present:	8	
	Absent:	1	

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Elizabeth Tankard, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 4:00 PM on March 29, 2023. [CC 4/19/23] 23-270-1
- b. Minutes of Regular Meeting held at 5:00 PM on March 29, 2023. [CC 4/19/23] 23-270-2

Councilor Lakin moved to approve 1.a – 1.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

Councilor Patrick and Councilor Lakin recused at 5:11 P.M.

2. APPOINTMENTS & REAPPOINTMENTS

- a. Janet Levit – Appointment to the Human Rights Commission replacing Carmela Hill; term expires July 1, 2024. (CD-4) [PW 4/12/23; CC 4/19/23] 23-245-1
- b. Kathy Sebert – Reappointment to the Sales Tax Overview Committee; term expires December 31, 2026. (Attended 12/12 meetings.) (CD-5) [UED 4/12/23; CC 4/19/23] 23-244-1

Public Comments:
John Huffines – 2.a – 2.b.

Councilor Decter Wright moved to approve 2.a – 2.b. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Absent
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 6 Nays: 0 Absent: 3 Abstentions: 0

Motion carried.

Councilor Patrick and Councilor Lakin returned at 5:13 P.M.

3. PUBLIC HEARINGS

- a. No items this week.

4. MAYOR’S ITEMS

- a. Mayor’s presentation of the City of Tulsa Fiscal Year 2023-2024 Budget and Capital Plan. (Note: Per Council Rules and Order of Business, Public Comment will not be taken on this item. Public input will be heard at future Public Hearings.) [CC 4/19/23] 23-271-1

Mayor Bynum presented the City of Tulsa Fiscal Year 2023-2024 Budget and Capital Plan.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and 2020 Annie Acres, LLC for property located at 10111 E. 81st St., for an illuminated monument sign to be placed in the right-of-way. (CD-7) [PW 4/12/23; CC 4/19/23] 23-225-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 3 to Contract No. 135737 between the City of Tulsa and Gradeline Construction, LLC, for Project No. 144111 A&B, TMUA-W 15-05 and 15-06 in the amount of forty-two thousand, two hundred twenty-nine dollars and three cents (\$42,229.03) and adding two hundred fifty (250) calendar days due to the replenishment of the Roadway Owner Allowance to its original balance of fifty thousand dollars (\$50,000.00) and to incorporate into the Contract all recommended time extensions to date due to weather, utility conflicts project wide, and additional work. In addition, the Internal Milestones included in the original Contract are hereby stricken from the Contract on N. Peoria Ave. from E. Apache St. - E. Pine St. (CD-1) [PW 4/12/23; CC 4/19/23] 23-226-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 1 to Contract No. 137321 between the City of Tulsa and Crossland Heavy Contractors, Inc., for Project No. 144017-AO, 144019 and TMUA-W 14-74 PH (6A) in the amount of six hundred thirty-five thousand, ninety-five dollars and forty cents (\$635,095.40) (credit) due to scope modification from full-depth reconstruction to mill, patch, and overlay in the 8th St. portion of the downtown street rehabilitation located at E. 7th St. (S. Detroit Ave. to S. Kenosha Ave.) and E. 8th St. (S. Cincinnati Ave. to Kenosha Ave.) (CD-4) [PW 4/12/23; CC 4/19/23] 23-227-2

- e. Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 3 to Contract No. 135817 between the City of Tulsa and Becco Contractors, Inc., for Project No. 144102, in the amount of zero dollars (\$0.00) and adding three hundred (300) calendar days due to retaining wall design changes during construction, extensive utility conflicts encountered during construction, and refusal by certain utility owners for months to communicate or cooperate with effort to resolve, further exacerbating construction delays on E. 81st St. S. from Sheridan Rd. to Memorial Dr. (CD-8) [PW 4/12/23; CC 4/19/23] 23-235-2

Public Comments:
John Huffines – 4.e.

Councilor Lakin moved to approve 4.b – 4.e. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

5.c and 5.d were each read and voted on separately.

- a. **PULLED:** Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application PUD-514-B amending PUD-514 for property located north of the NE/c of S. Yale Ave. and E. 33rd St. S. requested by Michael Scarbrough. (Property owner: Richard Karle) (CD-5) (TMAPC voted 11-0-0 to recommend **APPROVAL** of PUD-514-B.) [UED 4/12/23; CC 4/19/23; CC 4/26/23] 23-243-2
- b. **PULLED:** Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7694 from RS-2 and CS to CS for property located north of the NE/c of S. Yale Ave. and E. 33rd St. S. requested by Michael Scarbrough. (Property owner: Richard Karle) (CD-5) (TMAPC voted 11-0-0 to recommend **APPROVAL** of CS zoning.) [UED 4/12/23; CC 4/19/23; CC 4/26/23] 23-242-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7696 from RS-3 to MX1-U-45 for property located at the SW/c of E. 12th Pl. S. and S. Lewis Ave. requested by John Droz. (Property owner: Concept Builders) (CD-4) (TMAPC voted 11-0-0 to recommend **APPROVAL** of MX1-U-45 zoning.) [UED 4/12/23; CC 4/19/23; CC 4/26/23] 23-240-2

Councilor Lakin moved to approve 5.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea

Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

- d. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7695 from AG to RS-4 with an Optional Development Plan for property located west of the NW/c of E. 11th St. S. and S. 193rd E. Ave. requested by Nathan Cross. (Property owner: Fair Oaks Ranch-Tulsa County, LLC) (CD-6) (TMAPC voted 10-1-0 to recommend **APPROVAL** of RS-4 zoning with an Optional Development Plan.) [UED 4/12/23; UED 4/19/23; CC 4/19/23; CC 4/26/23] 23-241-2

Public Comments:
Bruce Denny – 5.d.
Dennis Henson – 5.d.

Nathan Cross, the applicant, addressed the Council.

Susan Miller from the Tulsa Planning Office addressed the Council.

There was Council discussion.

Without objection, 5.d was pulled.

6. ORDINANCES - FIRST READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of fourteen thousand, nine hundred dollars (\$14,900.00) from grant revenues received from the George Kaiser Family Foundation (GKFF) Best, LLC, within the Social Economic Development Non-Federal Grant Programs SubFund. (Tulsa Equity Dialogues Initiative) [UED 4/19/23; CC 4/19/23; CC 4/26/23] 23-263-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of one million, seventy-five thousand dollars (\$1,075,000.00) from grant revenues to be received from the Department of Justice within the Emmett Till Cold Case Grant Program SubFund. (Emmett Till Cold Case Grant Program) [UED 4/19/23; CC 4/19/23; CC 4/26/23] 23-264-2

Without objection, items 6.a – 6.b were forwarded to the next Council meeting.

7. ORDINANCES - SECOND READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of Ordinance amending and updating Title 51, Tulsa Revised Ordinances, "Residential Code", amending Chapter 2, "I.C.C. International Residential Code, 2018 Edition, adopted", adding Appendix "Q", titled "Tiny Houses", setting forth the specifications for Tiny Houses, repealing all ordinances or parts of ordinances in conflict. **(Emergency Clause)** [UED 4/12/23; CC 4/12/23; UED 4/19/23; CC 4/19/23] 23-224-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of sixty thousand dollars (\$60,000.00) from unassigned fund balance within the Pandemic Relief Recovery Fund. (Mayor's Office Language Access Program) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-228-2

- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of forty thousand, four hundred eighty-one dollars and fifty-nine cents (\$40,481.59) from grant revenues to be received from the Indian Nations Council of Governments (INCOG) within the Enhanced Mobility of Seniors and Individuals with Disabilities SubFund and to transfer unencumbered and unexpended appropriation balances of forty thousand, four hundred eighty-one dollars and fifty-nine cents (\$40,481.59) between Departments and Accounts within the General Fund. (Enhanced Mobility Grant) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-231-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of seventy thousand dollars (\$70,000.00) from grant revenues to be received from the Cities for Financial Empowerment Fund within the Non-Grant Miscellaneous Special Revenue Fund. (Financial Empowerment Center) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-232-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of one hundred sixty-two thousand, six hundred twenty-five dollars (\$162,625.00) within the Stormwater Enterprise Fund. (Principal Payment of FY23 Stormwater Revenue Bonds) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-233-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of five million, six hundred fifty-one thousand, five hundred dollars (\$5,651,500.00) from grant revenues received from the United States Treasury American Rescue Plan Act SubFund. (Flat Rock Creek, Animal Welfare Shelter, Golf Course Infrastructure, Save Our Homes Initiative, Seeding Savings Financial Counseling, Credential Evaluation Program, and Citizen Application Program) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-234-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Public Way, requested by Jacob Purdum, Eller & Detrich, for property located at 2250 N. Main St., Lots One and Thirteen (1,13), Blocks Three and Two (3,2), Oak Cliff Addition, to allow for a garage addition. (CD-1) [PW 4/12/23; CC 4/12/23; CC 4/19/23] 23-238-2
- h. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a platted Utility Easement, requested by Alan Betchan, AAB Engineering, LLC, for property located at 4926 E. Admiral Pl., Lot Two (2), Block One (1), Quik Trip No. 0007, for future development. (CD-3) [PW 4/12/23; CC 4/12/23; CC 4/19/23] 23-239-2

Public Comments:
John Huffines – 7.a, 7.c.
James Alexander, Jr. – 7.f.

Councilor Lakin moved to approve 7.a – 7.h with the emergency clause on 7.a, with the following amendment to 7.a, Section AQ102 in the proposed ordinance, amending the definition of “Tiny House” to read as follows: “TINY HOUSE. A dwelling that is 400 square feet (37m2) or less in floor area excluding lofts. Also called “Tiny Home”, “Micro-Unit”, “Micro House” or similar name.” Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea

Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0
Motion carried.			

8. COUNCIL ITEMS

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Decter Wright invited everyone to the upcoming Improve Our Tulsa town hall meetings. Councilor Miller announced that there would be Improve Our Tulsa town hall meetings for District 5 and District 6.

Public Comments:
John Huffines – 8.a.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution approving the Metropolitan Tulsa Transit Authority's (MTTA) Free Fare Program for passengers eighteen (18) years of age and under, effective July 1, 2023. [UED 4/12/23; CC 4/19/23] 23-251-2

Councilor Lakin moved to approve 8.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0
Motion carried.			

9. NEW BUSINESS

- a. No items this week.

10. HEARING OF APPEALS

- a. No items this week.

11. HEARING OF PUBLIC COMMENTS

- a. Bruce Denny – City Council Rule V.C.3.; public hearings on zoning change requests and time limitations imposed on both the applicant and individuals speaking on them. [CC 4/19/23] 23-269-1

Bruce Denny addressed the Council.

12. **ADJOURNMENT**

- a. Adjournment.

Chair Patrick adjourned the meeting at 6:29 P.M.

Crista Patrick, Chair of the Council

Lori Doring, Secretary to the Council